

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

Pursuant to the order of the Court en banc of the United States District Court for the Western District of Missouri, a pretrial conference was held in the above-entitled cause before me on December 20, 2007. Defendant Bruce Jensen appeared in person and with appointed counsel Martin Warhurst. The United States of America appeared by Assistant United States Attorney David Ketchmark.

I. BACKGROUND

On November 29, 2006, an indictment was returned charging defendant with three counts of depositing threatening communications in the mail, in violation of 18 U.S.C. § 876.

The following matters were discussed and action taken during the pretrial conference:

II. TRIAL COUNSEL

Mr. Ketchmark announced that he will be the trial counsel for the government. The case agent to be seated at counsel table is Special Agent J. R. Smith, FBI.

Mr. Warhurst announced that he will be the trial counsel for defendant Bruce Jensen.

III. OUTSTANDING MOTIONS

There are no pending motions in this case.

IV. TRIAL WITNESSES

Mr. Ketchmark announced that the government intends to call 10 witnesses without stipulations or 5 witnesses with stipulations during the trial.

Mr. Warhurst announced that defendant Bruce Jensen intends to call 1 witness during the trial. The defendant may testify.

V. TRIAL EXHIBITS

Mr. Ketchmark announced that the government will offer approximately 15 - 20 exhibits in evidence during the trial.

Mr. Warhurst announced that defendant Bruce Jensen will offer no exhibits in evidence during the trial.

VI. DEFENSES

Mr. Warhurst announced that defendant Bruce Jensen will rely on the defenses of general denial and insanity.

VII. POSSIBLE DISPOSITION

Mr. Warhurst stated this case is probably not for trial.

VIII. STIPULATIONS

Stipulations are likely as to chain of custody.

IX. TRIAL TIME

Counsel were in agreement that this case will take 2 days to try.

X. EXHIBIT LIST, VOIR DIRE AND INSTRUCTIONS

The U. S. Magistrate Judge ordered:

That, in addition to the requirements of the Stipulations and Orders filed April 11, 2007, counsel for each party file and serve a list of exhibits he intends to offer in evidence at the trial of this case on the form entitled Exhibit Index and have all available exhibits premarked using the stickers provided by the Clerk of Court by December 20, 2007;

That counsel for each party file and serve requested jury voir dire examination questions by or before noon, Wednesday, January 2, 2008;

That counsel for each party file and serve, in accordance with the requirements of Local Rule 51.1, requested jury instructions by or before noon, Wednesday, January 2, 2008. Counsel are requested to provide proposed jury instructions in both hard copy form, as required by Local Rule 51.1, and by e-mail to the trial judge's courtroom deputy.

XI. UNUSUAL QUESTIONS OF LAW

No motions in limine are anticipated. There are no unusual questions of law.

XII. TRIAL SETTING

All counsel and the defendant were informed that this case will be listed for trial on the joint criminal jury trial docket which commences on January 7, 2008.

/s/ Robert E. Larsen
ROBERT E. LARSEN
U. S. Magistrate Judge

Kansas City, Missouri
December 20, 2007

cc: The Honorable Howard Sachs
Mr. David Ketchmark
Mr. Martin Warhurst
Mr. Jeff Burkholder